

1-1 By: Carona S.B. No. 1387  
 1-2 (In the Senate - Filed March 7, 2013; March 18, 2013, read  
 1-3 first time and referred to Committee on Natural Resources;  
 1-4 April 11, 2013, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 1; April 11, 2013,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17	X			
1-18		X		
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1387 By: Hegar

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to water well drillers and pump installers; changing fees.  
 1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-25 SECTION 1. Section 1901.001, Occupations Code, is amended  
 1-26 by adding Subdivision (13-a) and amending Subdivision (16) to read  
 1-27 as follows:  
 1-28 (13-a) "Third-party inspector" means a qualified  
 1-29 employee of a state agency with jurisdiction over wells who assists  
 1-30 the department with enforcement activities.  
 1-31 (16) "Well" means a water well, injection well,  
 1-32 dewatering well, closed-loop geothermal well, or monitoring well.  
 1-33 SECTION 2. Subchapter B, Chapter 1901, Occupations Code, is  
 1-34 amended by adding Section 1901.056 to read as follows:  
 1-35 Sec. 1901.056. REGIONAL WELL INSPECTION PROGRAM. (a) The  
 1-36 commission by rule shall establish a regional well inspection  
 1-37 program using third-party inspectors.  
 1-38 (b) Rules adopted under Subsection (a) shall establish:  
 1-39 (1) training requirements for a third-party  
 1-40 inspector;  
 1-41 (2) registration procedures for a third-party  
 1-42 inspector; and  
 1-43 (3) policies governing the acts of a third-party  
 1-44 inspector in conducting an inspection or investigation.  
 1-45 SECTION 3. Section 1901.152, Occupations Code, is amended  
 1-46 to read as follows:  
 1-47 Sec. 1901.152. LICENSE APPLICATION[~~, EXAMINATION FEE~~].  
 1-48 [~~(a)~~] An applicant [~~application~~] for a license must submit to the  
 1-49 department [~~contain~~]:  
 1-50 (1) an application that includes:  
 1-51 (A) the applicant's name;  
 1-52 (B) [~~(2)~~] the applicant's business address;  
 1-53 (C) [~~(3)~~] the applicant's permanent mailing  
 1-54 address; and  
 1-55 (D) [~~(4)~~] any other relevant information  
 1-56 required by the department; and [~~-~~]  
 1-57 (2) [~~(b)~~] An applicant must pay to the department] an  
 1-58 application [~~examination~~] fee [~~at the time the application is~~  
 1-59 submitted].  
 1-60 SECTION 4. Subchapter D, Chapter 1901, Occupations Code, is

2-1 amended by adding Section 1901.153 to read as follows:  
2-2 Sec. 1901.153. APPRENTICE DRILLER PROGRAM. The commission  
2-3 by rule shall establish an apprentice driller program.

2-4 SECTION 5. Subsection (a), Section 1901.201, Occupations  
2-5 Code, is amended to read as follows:

2-6 (a) The department shall offer examinations for a license  
2-7 under this chapter [at least once each year].

2-8 SECTION 6. Subsection (a), Section 1901.251, Occupations  
2-9 Code, is amended to read as follows:

2-10 (a) Each driller who drills, deepens, or otherwise alters a  
2-11 ~~[water]~~ well in this state shall make and keep a legible and  
2-12 accurate well log in accordance with rules adopted by the  
2-13 commission and on forms prescribed by the executive director. The  
2-14 well log shall be recorded at the time of drilling, deepening, or  
2-15 otherwise altering the well and must contain:

2-16 (1) the depth, thickness, and character of the strata  
2-17 penetrated;

2-18 (2) the location of water-bearing strata;

2-19 (3) the depth, size, and character of casing  
2-20 installed; and

2-21 (4) any other information required by rules adopted by  
2-22 the commission.

2-23 SECTION 7. Subchapter I, Chapter 1901, Occupations Code, is  
2-24 amended by adding Section 1901.405 to read as follows:

2-25 Sec. 1901.405. THIRD-PARTY INSPECTORS; ENFORCEMENT. The  
2-26 department may contract with a third-party inspector to assist in  
2-27 the enforcement of this chapter or a rule adopted under this  
2-28 chapter, including rules governing the performance of inspections  
2-29 and the conduct of investigations.

2-30 SECTION 8. Section 1902.152, Occupations Code, is amended  
2-31 to read as follows:

2-32 Sec. 1902.152. LICENSE APPLICATION~~[, EXAMINATION FEE]~~.  
2-33 ~~[(a)]~~ An applicant ~~[application]~~ for a license must submit to the  
2-34 department [contain]:

2-35 (1) an application that includes:

2-36 (A) the applicant's name;

2-37 (B) ~~[(2)]~~ the applicant's business address;

2-38 (C) ~~[(3)]~~ the applicant's permanent mailing  
2-39 address; and

2-40 (D) ~~[(4)]~~ any other information required by the  
2-41 department; and~~[-]~~

2-42 (2) ~~[(b) An applicant must pay to the department] an~~  
2-43 application [examination] fee [at the time the application is  
2-44 submitted].

2-45 SECTION 9. Subchapter D, Chapter 1902, Occupations Code, is  
2-46 amended by adding Section 1902.153 to read as follows:

2-47 Sec. 1902.153. APPRENTICE PUMP INSTALLER PROGRAM. The  
2-48 commission by rule shall establish an apprentice pump installer  
2-49 program.

2-50 SECTION 10. Subsection (a), Section 1902.201, Occupations  
2-51 Code, is amended to read as follows:

2-52 (a) The department shall offer examinations for a license  
2-53 under this chapter [at least once each month].

2-54 SECTION 11. The following provisions of the Occupations  
2-55 Code are repealed:

2-56 (1) Subsection (b), Section 1901.201; and

2-57 (2) Subsection (b), Section 1902.201.

2-58 SECTION 12. Not later than April 1, 2014, the Texas  
2-59 Commission of Licensing and Regulation shall adopt rules to  
2-60 implement the changes in law made by this Act to Chapters 1901 and  
2-61 1902, Occupations Code.

2-62 SECTION 13. This Act takes effect September 1, 2013.

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